



5. Plaintiff's theory is that ACG compelled him to work in India by threatening to terminate him from his job in Joplin and refusing to pay for his return trip unless he continued working in India. Petition at ¶¶ 105-16.

6. Count V of Plaintiff's Petition fails to state a claim for forced labor because having to continue working to remain employed, and having to pay airfare to return home prematurely, does not constitute "serious harm" under 18 U.S.C. § 1589. Accordingly, the Court should dismiss Count V of Plaintiff's Petition with prejudice.

7. ACG files herewith and incorporates herein its Suggestions in Support of this motion.

WHEREFORE, Defendant Aegis Communications Group, LLC, moves the Court to dismiss Count V of Plaintiff's Petition with prejudice, and for such other and further relief as the Court deems just and proper.

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ATTORNEYS FOR DEFENDANT

AEGIS COMMUNICATIONS

GROUP, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on July 17, 2013, the foregoing was filed electronically with the Clerk of the Court and will be served by operation of the Court's electronic filing system upon the following:

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*/s/ Jeremy M. Brenner* \_\_\_\_\_